

**FILED**

**United States Court of Appeals  
Tenth Circuit**

**UNITED STATES COURT OF APPEALS**

**FOR THE TENTH CIRCUIT**

**March 11, 2014**

**Elisabeth A. Shumaker  
Clerk of Court**

HERMES CONSOLIDATED, LLC, d/b/a  
Wyoming Refining Company,

Petitioner,

v.

UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY; GINA  
MCCARTHY, Administrator, United  
States Environmental Protection Agency,

Respondents.

No. 14-9522  
(D.C. No. CAA-08-2011-0007)

**ORDER**

Petitioner's motion to dismiss is granted. *See* 10th Cir. R. 27.3(A)(9) and 10th  
Cir. R. 42.1.

A copy of this order shall stand as and for the mandate of the court.

Entered for the Court



ELISABETH A. SHUMAKER, Clerk